

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS R. JONES,

Petitioner,

vs.

SCOTT FRAKES,

Respondent.

8:21CV249

ORDER

On November 8, 2021, Respondent filed a Reply Brief (filing 23) and a Supplemental Designation of State Court Records in Support of Motion for Summary Judgment (filing 22) containing an affidavit from an employee at the Nebraska State Penitentiary explaining how the prison mail system works. Rule 7(c) of the Rules Governing Section 2254 Cases in the United States District Courts provides that “[t]he judge must give the party against whom the additional materials are offered an opportunity to admit or deny their correctness.” Accordingly,

IT IS ORDERED that: Petitioner shall have until December 9, 2021, to file and serve a brief in response to Respondent’s Supplemental Designation (filing 22) in accordance with Rule 7(c) of the Rules Governing Section 2254 Cases.

Dated this 9th day of November, 2021.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge